

(Security Classification)

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FOREIGN SERVICE DESPATCH

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TO : THE DEPARTMENT OF STATE, WASHINGTON.

February 3, 1961

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SUBJECT: Uruguay and Argentina Sign Declaration Establishing Exterior NAVY-4
Limit of Rio de la Plata

In the 130 years of Uruguay's independence, one of the major areas of uncertainty in its foreign policy has been the establishment of definite riparian rights for Argentina and Uruguay concerning their mutual boundary, the huge Rio de la Plata (River of Silver). An important step in the direction of settling this matter was taken on January 30 when Uruguay's Foreign Minister Homero MARTINEZ Montero and the Argentine Ambassador Gabriel DEL MAZO signed a joint declaration establishing the external limits of the Rio de la Plata. A free translation of the text of this declaration, which was signed at the Foreign Office in the presence of a number of Argentine diplomatic officials and high-ranking members of the Uruguayan Foreign Office, is as follows:

TRANSLATION

Present at the Assembly Room of the Ministry of Foreign Relations Messrs. Homero Martínez Montero, Minister of Foreign Relations of the Oriental Republic of Uruguay and Engineer Gabriel del Mazo, Ambassador Extraordinary and Plenipotentiary of the Argentine Republic, duly authorized by their Governments, subscribe the following Joint Declaration:

The Governments of the Oriental Republic of Uruguay and of the Argentine Republic, with the purpose of establishing in a definite form the exterior limits of the Rio de la Plata, to the purposes foreseen in international law, and in a special way, to fix the base line destined to measure the territorial sea and its contiguous and adjacent zones.

Taking into consideration the provisions of Article 13 of the Convention on the Territorial Sea and the Contiguous Zone, adopted by the Conference of the United Nations on the Law of the Sea and signed by the two States in Geneva (Switzerland) on April 29, 1958, they declare:

HT Mitchell, Jr.:bac

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REPORTER

ACTION	ACTION	DIRECTIONS
ASSIGNED TO:	TAKEN	TO RM/R
NAME OF OFFICER & OFFICE SYMBOL	DATE OF ACTION	

ACTION COPY — DEPARTMENT OF STATE

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1. The exterior limit of the Rio de la Plata, dividing the waters of this river from the Atlantic Ocean, is the imaginary straight line which unites Punta del Este in Uruguay with Punta Rasa of the Cabo San Antonio in Argentina.
2. The mentioned dividing line will also be the base line to fix the respective zones of territorial sea and contiguous and adjacent zones.
3. The juridical system of the Rio de la Plata will continue to be, as until the present, that established in the Ramírez-Saenz Peña, Protocol signed in Montevideo on January 5, 1910 and other instruments of both riparian States insofar as these are applicable.

Signed and sealed in duplicate by both parties, in the city of Montevideo, capital of the Oriental Republic of Uruguay, the thirtieth day of the month of January of the year one thousand nine hundred and sixty-one. (Signed: Homero Martínez Montero and Gabriel del Mazo).

The limits established by this declaration represent the position that the GOU has supported and differs somewhat from the original Argentine suggestion. Argentina had taken the position that the limit should be from the same point in Argentina, Punta Rasa del Cabo San Antonio, but should terminate in Uruguay at Cabo Santa Maria, a point some 48 miles northeast of Punta del Este. Argentina's position was apparently based on certain 16th Century historical accounts which gave Cabo Santa Maria as the point at which ships changed direction to enter the river. Uruguay, however, has maintained that these documents were based upon an error giving the name of Cabo Santa Maria to the land point now called Punta del Este. This position has now been accepted by Argentina.

COMMENT: The opposition List 15 Colorados has severely criticized the GOU for voluntarily surrendering a sizeable area of territorial water by pressing for the Punta del Este termination, and an editorial in the party paper ACCION, on February 1, served notice that they would never accept this loss of sovereignty. The GOU's reasoning for favoring the Punta del Este limit appears to be based on two main points. Firstly, as one of the UBD newspapers, TRIBUNA, has pointed out, the Punta del Este termination has been traditionally accepted as the limit by the Foreign Office even during the time the Colorados were in power and, secondly, and perhaps more important, to extend the line 50 miles to the northeast could, by moving the center boundary further north, result in a great loss of territorial water for Uruguay when a determination is finally made as to the rights which Uruguay and Argentina will share in the river.

An indication of the importance of this issue to the GOU is that the

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SPANISH TEXT

Reunidos en el Salón del Ministerio de Relaciones Exteriores los señores Homero Martínez Montero, Ministro de Relaciones Exteriores de la República Oriental del Uruguay y el Ingeniero Gabriel del Mazo, Embajador Extraordinario y Plenipotenciario de la República Argentina, debidamente autorizados por sus Gobiernos, suscriben la siguiente Declaración Conjunta:

Los Gobiernos de la República Oriental del Uruguay y de la República Argentina, animados del propósito de establecer en forma definitiva el límite exterior del Río de la Plata, a los efectos previstos en el derecho internacional y, de manera especial, para fijar la línea de base destinada a medir el mar territorial y sus zonas contiguas y adyacentes.

Teniendo en cuenta lo dispuesto en el Artículo 13 de la Convención sobre el Mar Territorial y la Zona Contigua, adoptada por la Conferencia de las Naciones Unidas sobre el derecho del Mar y firmada por los dos Estados en Ginebra (Suiza), el 29 de abril de 1958, declaran:

1. El límite exterior del Río de la Plata, divisorio de las aguas de dicho río con el Océano Atlántico, es la línea recta imaginaria que une Punta del Este en el Uruguay con Punta Rasa del Cabo San Antonio en la Argentina.

2. La mencionada línea divisoria será también la línea de base para fijar las respectivas fajas de mar territorial y zonas contiguas y adyacentes.

3. El régimen jurídico del Río de la Plata continuará siendo, como hasta el presente, el establecido en el Protocolo Ramírez-Saenz Peña, firmado en Montevideo el 5 de enero de 1910 y otros instrumentos de ambos Estados ribereños en cuanto sean aplicables.

Firmado y sellado, en doble ejemplar, por ambas partes, en la ciudad de Montevideo, capital de la República Oriental del Uruguay, a los treinta días del mes de enero del año mil novecientos sesenta y uno.

(Firmado: Homero Martínez Montero y Gabriel del Mazo.)

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deceased leader of the Blanco Party, Luis Alberto HERRERA, selected Navy Lt. Martinez Montero for the position of Foreign Minister, primarily on the basis of his qualifications in the field of international water rights, with a view to getting an agreement with Argentina on the river boundary question. The official significance of the declaration has been described as a reaffirmation of the historical determination of both nations to make this river one of joint ownership solely for the two riparians. It also establishes a base line on which to measure the width of the territorial water over which Uruguay and Argentina will exercise their respective sovereignty, as well as establishing a basis for the definition of exclusive fishing zones and contiguous zones of preferential rights.

For the Ambassador:


Herbert T. Mitchell, Jr.
Third Secretary of Embassy

CC: ARA:EST/U

Enclosure: att/mh

Original Spanish Text

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